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JUN 11 2001
PTO 9 JUN 2001
09/807470
0020-4850P

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: TOHDOH, Naoki et al. Conf.: 7636

Appl. No.: 09/807,470 Group: 5002

Filed: April 13, 2001 Examiner: W. M. Alvarado

For: NOVEL PROTEIN WAR-1 AND GENE THEREOF

LARGE ENTITY TRANSMITTAL FORM

Assistant Commissioner for Patents
Washington, DC 20231

June 11, 2001

Sir:

Transmitted herewith is an amendment in the above-identified application.

- The enclosed document is being transmitted via the Certificate of Mailing provisions of 37 C.F.R. § 1.8.
- The enclosed document is being transmitted via facsimile.

The fee has been calculated as shown below:

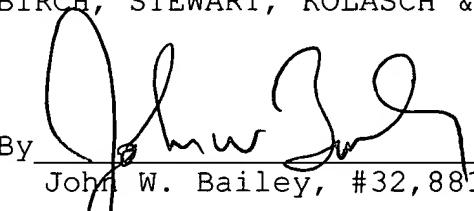
| | CLAIMS REMAINING AFTER AMENDMENT | | HIGHEST NUMBER PREVIOUSLY PAID FOR | | PRESENT EXTRA | RATE | ADDITIONAL FEE |
|---|---|---|---|---|------------------|-------|-------------------|
| TOTAL | 38 | - | 38 | = | 0 | \$18 | \$0.00 |
| INDEPENDENT | 9 | - | 9 | = | 0 | \$80 | \$0.00 |
| <input type="checkbox"/> FIRST PRESENTATION OF A MULTIPLE DEPENDENT CLAIM | | | | | | \$270 | \$0.00 |
| | | | | | | TOTAL | \$0.00 |

- Petition for () month(s) extension of time pursuant to 37 C.F.R. §§ 1.17 and 1.136(a). \$0.00 for the extension of time.
- No fee is required.
- A check in the amount of \$0.00 is enclosed.
- Please charge Deposit Account No. 02-2448 in the amount of \$0.00. This form is submitted in triplicate.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By 
John W. Bailey, #32,881

P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000

JWB/JRK/KW
0020-4850P
KW

ATTACHMENT

(Rev. 01/22/01)

JO Rec'd OCT/PTO T 1 JUN 2001

09/807470

BOX PCT

PATENT

0020-4850P



IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: TOHDOH, Naoki et al. Conf.:

Int'l. Appl. No.: PCT/JP99/05631

Appl. No. 09/807,470 Group: UNASSIGNED

Filed: April 13, 2001 Examiner: UNASSIGNED

For: NOVEL PROTEIN WAR-1 AND GENE
THEREOF

L E T T E R

BOX PCT
Assistant Commissioner for Patents
Washington, DC 20231

June 11, 2001
(Monday)

Sir:

Applicants wish to advise the United States Patent and Trademark Office that a Declaration was filed on May 4, 2001, to perfect Applicants' filing requirements.

The filing requirements were perfected prior to the receipt of the Notification of Missing Requirements (U.S.P.T.O. Form PCT/DO/EO/905), a copy of which is attached hereto.

As evidence of Applicant's previous submission of a Declaration in connection with the present application, Applicants enclose a copy of the Declaration and Power of

Attorney, filed May 4, 2001, and a copy of the postcard indicating receipt of the Declaration by the U.S.P.T.O.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fee required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By _____

John W. Bailey, #32,881

P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000

JWB:bmp
0020-4850P

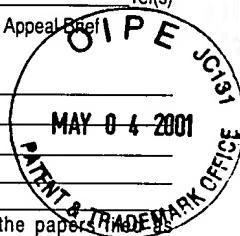
Attachments: Copy of Form PCT/DO/EO/905
Copy of Postcard Receipt
Copy of Declaration and Power of Attorney

(Rev. 01/22/01)

Papers Filed herewith on: May 4, 2001 44
DOCKET NO.: 0020-4850P ATTY: JWIS
APPLICANT(S): T H D O H et al.
APPLN. NO: 09/807,470 FILED: 4-13-2001
PAT NO.: _____

- New Application with Transmittal Letter
 Utility Design CIP PCT Provisional
 Filing Under 37 CFR 1.53(b) CONT DIV
 Filing Under 37 CFR 1.53(d) (CPA)
 Filing Under 37 CFR 1.114(RCE)
 Specification Consisting of: _____ pages
 Combined Declaration & Power of Attorney
 Assignment / Cover Letter
 Letter to Official Draftsman
 Drawings _____ Sheets Formal Informal Red-Ink
 Completion of Filing Requirements, PCT/DO/EO/905
or Formalities Letter and Executed Declaration
 Priority Document(s) / Cover Letter, No. Doc. _____
 Amendment: _____
 Transmtl Ltr Large Entity Small Entity
 Response: _____
 Information Discl Stmtnt. PTO-1449(s) _____ ref(s)
 Notice of Appeal Appeal Brief
 Issue Fee Transmittal
 FEES: _____
 Letter: _____
 Other: _____

DOCKET NO. 0020-4850P



Receipt is hereby acknowledged of the papers indicated in connection with the above identified case.
COMMISSIONER OF PATENTS AND TRADEMARKS

Due Date: 6-13-2001
Handcarry: _____



UNITED STATES PATENT AND TRADEMARK OFFICE

JULY 11 2001

Commissioner for Patents, Box PCT
United States Patent and Trademark Office
Washington, D.C. 20231
www.uspto.gov

| | | |
|----------------------|-----------------------|------------------|
| U.S. APPLICATION NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
| 09/807470 | TOHDOH | N 0020-4850P |

BIRCH STEWART KOLASCH & BIRCH
PO BOX 747
FALLS CHURCH, VA 22040 0747



| | |
|-------------------------------|--|
| INTERNATIONAL APPLICATION NO. | |
| PCT/JP99/05631 | |

6-9-01 ES
DOCKETED

| | |
|------------------|---------------|
| I.A. FILING DATE | PRIORITY DATE |
| 13 OCT 99 | 13 OCT 98 |

Sequence Listing

DATE MAILED: 09 MAY 2001

6-9-01 ES
DOCKETED
response

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as
- a Designated Office (37 CFR 1.494) an Elected Office (37 CFR 1.495):

- U.S. Basic National Fee.
- Indication of Small Entity Status.
- Copy of the international application.
- Translation of the international application into English.
- Oath or Declaration of inventors(s).
- Translation of Article 19 amendments into English.
- Copy of Article 19 amendments.
- Other:
- Priority Document.
- The International Preliminary Examination Report in English and its Annexes, if any.
- Translation of Annexes to the International Preliminary Examination Report into English.

2. Applicant has requested early processing under 35 U.S.C. 371(f) but has not filed the following indicated items and/or the indicated items in paragraph 3 below. The Basic National Fee and the copy of the international application must be filed prior to 20 or 30 months from the priority date to avoid abandonment.

- U.S. Basic National Fee.
- Copy of the international application.

3. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- a. Translation of the application into English. A processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
- The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
- b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
- c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), properly identifying the application (preferably by the International application number and international filing date). A surcharge will be required if submitted later than the appropriate 20 or 30 months from the priority date.
- The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
- d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

4. Additional claim fees of \$ _____ as a large entity small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.

5. Applicant has not submitted the required sequence listing pursuant to 37 CFR 1.821-1.825. See attached PCT/DO/EO/920.

ALL OF THE ITEMS SET FORTH IN 3(a)-3(d), 4 AND 5 ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 22 OR 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

6. If box 3a or 3c is checked, a translation of the Annexes **MUST** be submitted no later than the time period set above or the Annexes will be cancelled. A processing fee will be required if submitted later than 20 or 30 months from the priority date.
7. The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

A copy of this notice MUST be returned with this response.

Enclosed: PCT/DO/EO/917 Notice of Defective Translation
 PTO-875 PCT/DO/EO/920

Winston M Alvarado

Telephone: 703-305-6421



UNITED STATES PATENT & TRADEMARK OFFICE

Commissioner for Patents, Box PCT
United States Patent and Trademark Office
Washington, D.C. 20231
www.uspto.gov

| | | |
|---|-----------------------|------------------|
| U.S. APPLICATION NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
| 09/807470 | TOHDOH | N 0020-4850P |
| INTERNATIONAL APPLICATION NO. | | |
| PCT/JP99/05631 | | |
| I.A. FILING DATE PRIORITY DATE | | |
| 13 OCT 99 13 OCT 98 | | |

BIRCH STEWART KOLASCH & BIRCH
PO BOX 747
FALLS CHURCH, VA 22040 0747
*6-9-01 ES
DOCKETED*

Sequence Listing

DATE MAILED: 09 MAY 2001

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 Copy of the international application. Translation of the international application into English.
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 Copy of Article 19 amendments. Other:
 Priority Document.
 The International Preliminary Examination Report in English and its Annexes, if any.
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*6-9-01 E
DOCKETED
response*

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A copy of this notice MUST be returned with this response.

Enclosed: PCT/DO/EO/917 Notice of Defective Translation
 PTO-875 PCT/DO/EO/920

Winston M Alvarado

Telephone: 703-305-6421